IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

Javelin Investments, LLC, et al.,

Plaintiffs,

V.

S

Civil Action H-05-3379

R

Angela McGinnis and Michael McGinnis,

Defendants.

S

Defendants.

ORDER

It is hereby

ORDERED that defendants' unopposed motion (Dkt. 51) seeking leave for Douglas H. Elliott to withdraw as "of counsel" for Angela and Michael McGinnis is granted. It is further

ORDERED that defendants' unopposed motion (Dkt. 52) for leave to file a Second Amended Answer is granted. The Second Amended Complaint attached as Exhibit A to defendants' motion is deemed filed and is the operative answer in this case. It is further

ORDERED that defendants' unopposed motion (Dkt. 53) to withdraw their pending motion for summary judgment is granted. Defendants' motion for summary judgment (Dkt. 6) is denied without prejudice to refiling.

Signed at Houston, Texas on February 22, 2006.

Stephen Wm Smith United States Magistrate Judge